

## Agency Action

### Asbestos; Significant New Use Rule

OCSP/OPPT/NPCD/FOB

Tier 3 Regulation

OMB: NPRM - Non-Significant (confirmed)

Final Rule - Non-Significant (proposed)

SAN: 6677

RIN: 2070-AK45

#### Action Information

**TRACKER Status:** Development

**Working Title:** Asbestos SNUR - TSCA §5(a)(2)

**Full Title:** Asbestos; Significant New Use Rule

**Commencement:** -

**Tiering:** Approved - 03/22/2018

**Reg Reporting:** Approved

#### Action POCs

**Primary POC:** Robert Courtnage (OCSP/OPPT/NPCD): 202-566-1081

**Secondary POC:** Erik Winchester (OCSP/OPPT/NPCD/FOB): 202-564-6450

**Public POC:**

Instructions: The Primary POC is typically the workgroup chair or leader for the action. The Secondary POC is his/her back-up. Define a Public POC above if you want someone other than the Primary and/or Secondary POC to answer questions from the public (e.g., for some OCSP actions, the TSCA Hotline will be entered as the Public POC).

#### Internal Abstract

Instructions: This Internal Abstract will not be shared outside of the agency.

## Ex. 5 Deliberative Process (DP)

#### External Abstract

Instructions: This External Abstract, used for public consumption, will be available on both the Action form and the associated Reg Reporting form.

EPA is developing a significant new use rule (SNUR) under section 5(a)(2) of the Toxic Substances Control Act (TSCA) for certain uses of asbestos that are no longer in use in the United States. Persons subject to the SNUR would be required to notify the EPA at least 90 days before commencing such manufacture or processing. The required notifications would initiate EPA's evaluation of the intended use within the applicable review period. Manufacture and processing for the significant new use would be unable to commence until EPA has conducted a review of the notice, made an appropriate determination on the notice, and taken such actions as are required in association with that determination. EPA issued a proposed SNUR on June 11, 2018.

#### Stages & Milestones

---

**Deadlines:**

None

---

**Stages:**

Instructions: Stages vary by the type of action you are working on, and are too voluminous to list here. Work with your AAship's Regulatory Steering Committee (RSC) member (who is listed on the ADP Library site: [ [HYPERLINK "http://intranet.epa.gov/adplibrary/"](http://intranet.epa.gov/adplibrary/) ]) to determine what Stages to include.

**Current answer:** Ex. 5 Deliberative Process (DP)

---

**All Milestones:**

Instructions: Milestones vary by the type of action you are working on and the Tier level of your action; they are too voluminous to list here. Work with your AAship's Regulatory Steering Committee (RSC) member (who is listed on the ADP Library site: [ [HYPERLINK "http://intranet.epa.gov/adplibrary/"](http://intranet.epa.gov/adplibrary/) ]) to determine what Milestones to include.

**Current answer:**

03/09/2018 - NPRM - OMB Determination (Actual OMB Determination Submission)  
03/19/2018 - NPRM - OMB Determination (Actual OMB Determination Received)  
03/19/2018 - NPRM - Workgroup Kickoff (Actual Complete)  
05/16/2018 - NPRM - Workgroup Closure (Actual Complete)  
05/31/2018 - NPRM - Signature (Actual Signature Date)  
06/04/2018 - NPRM - FR Publication (Actual Received by FR Analysts)  
06/05/2018 - NPRM - FR Publication (Actual FR Analysts to FR)  
06/11/2018 - NPRM - FR Publication (Actual FR Publication)  
06/11/2018 - NPRM - Comment Period (Actual Comment Period Open)  
08/10/2018 - NPRM - Comment Period (Actual Comment Period Closed)

## Ex. 5 Deliberative Process (DP)

---

**Workgroup**

---

**Workgroup Name:** Asbestos SNUR - TSCA §5(a)(2) Workgroup

**Participating Offices:** OAR, OECA, OGC, OP, ORD, OW

---

---

**Issues, Impacts, and Development**

---

---

**Science Issues:**

**Question 1:** Please identify if there are any science issues associated with this action (e.g., risk assessment, benefits analysis or technology assessment).

Instructions: Answer Yes, No or Undetermined.

**Current answer:** No

**Question 2:** If yes, describe the science issue(s).

**Current answer:**

**Peer Review:**

**Question:** Will this action or supporting documentation go through Peer Review?

Instructions: Answer Yes, No or Undetermined. If yes, it must be entered in the Science Inventory Database.

**Current answer:** No

**Major Issues and Cross-Media Concerns:**

**Question:** Please identify anticipated and/or probable major issues, including pollution prevention alternatives and cross-media issues.

**Current answer:** None

---

**Human Health:**

**Question:** Will this action address/concern human health impacts?

Instructions: Answer Yes, No or Undetermined. If Yes, provide an explanation.

**Current Answer:** No: SNURs are information rules. They do not apply to active uses of the chemicals to which they pertain. Rather, the notification requirements apply only to the uses of a chemical or chemicals that are specifically designated as a \*new\* use in the rulemaking. The effect of a SNUR rule is that a manufacturer (including an importer, per the TSCA definition) or processor (if specified) must notify EPA of its intent to manufacture the chemical for the uses covered by the rule.

**Children's Health:**

**Question:** Is this action likely to address an adverse impact on childhood lifestages including prenatal (via exposure to women of childbearing age)? (Reg DaRRT)

Instructions: Answer Yes, No or Undetermined. If Yes, indicate if the likely impact is related to Exposure and/or Toxicity, and provide an explanation.

**Current Answer:** No

---

**Environmental Justice:**

**Question 1:** Does this action involve a topic that is likely to be of particular interest to or have particular impact upon minority, low-income or indigenous populations, or tribes? (Reg DaRRT)

Instructions: Answer Yes, No or Undetermined. If yes, select from options below and provide an explanation.

Selecting No means that this action is not likely to be of particular interest to these populations or tribes.

Selecting Undetermined means that, given the information available at this time, the Agency does not know if these populations or tribes will be particularly interested in this action.

**Current Answer:** No

**Question 2:** If you answered Yes to the previous question, place an "X" to the left of at least one:

	The action is likely to impact the health of these populations.
	The action is likely to impact the environmental conditions of these populations.
	The action is likely to present an opportunity to address an existing disproportionate impact on these populations.
	The action is likely to result in the collection of information or data that could be used to assess potential impacts on the health or environmental conditions of these populations or tribes.
	The action is likely to affect the availability of information to these populations or tribes.
	Other reasons. Explain.

**Current Answer:**

Comments:

---

**Levels of Government Affected:**

**Question 1:** Are any levels of government affected? (Reg DaRRT)

Instructions: Answer Yes, No or Undetermined. If Yes, answer the next question.

**Current Answer:**No

**Question 2:** Levels Affected

Instructions: Place an "X" to the left of at least one.

	Federal
	State
	Local
	Tribal
	Small

**Current Answer:**

**Question 3:** Describe the type of effects.

Instructions: Place an "X" in at least one of the columns for each affected government level.

	Likely to be involved in implementation	Likely to be regulated
Federal		
State		
Local		
Tribal		
Small		

**Current answer:**

	Likely to be involved in implementation	Likely to be regulated
Federal		
State		
Local		
Tribal		
Small		

**Note:** Deliberative...Not Agency Policy...Do Not Quote, Cite or Distribute